

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**DEPT RET  
Room 807

In re Application of : Yukihiro OKUMURA

Serial No. 09/763,375

Filed APR 30 2001 Feb 21, 2001

Title : DATA TRANSMISSION METHOD, DATA TRANSMISSION  
SYSTEM, TRANSMITTER AND RECEIVERAssistant Commissioner for Patents  
Washington, D.C. 20231**REQUEST FOR REFUND UNDER 37 CFR 1.26**

Sir:

In Applicant's transmittal letter of Feb. 21, 2001, Applicant calculated a total fee amount of \$4,244, including a claims fee based on 108 total claims, and 25 independent claims. In the "Notification of Acceptance of Application" (Form PCT/DO/EO/903) received from the U.S. Patent and Trademark Office (mailing date of April 6, 2001), it was indicated that \$1,386 additional was charged to Applicant's deposit account for multiple claims, based on 185 total claims and 25 independent claims.

Applicant believes this amount is incorrect, since there are 122 total claims, including 24 dependent claims, as can be seen from the attached table. Note that this accounts for claims that were amended and added in the preliminary amendment that was filed with the application.

Thus, the correct fee due is as follows:

basic national fee	\$860
total claims	\$1836
122-20=102 extra x \$18=	
independent claims 24-3=21 extra x \$80=	\$1680
assignment recordal fee	\$40
total fee:	\$4416
amount paid by Applicant by check:	\$4244
underpayment by Applicant:	\$172
amount debited to deposit account by PTO	\$1386
amount that Applicant requests PTO to credit to deposit account	\$1214 (\$1386-\$172)

US PATENT & TRADEMARK OFFICE  
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MAY 18 2001  
TC 2600 MAILROOM

The Commissioner is hereby authorized and requested to credit the overpayment in the amount of \$1,214 in the above-identified application to Deposit Account No. 02-4270.

Respectfully submitted,

Dated: April 25, 2001

Ralph F. Hoppin

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I hereby certify that this paper is being deposited this date with the  
U.S. Postal Service as First Class Mail addressed to:  
Assistant Commissioner for Patents, Washington, D.C. 20231

Ralph F. Hoppin  
Ralph F. Hoppin

April 25, 2001  
Date

## Serial No. 08/763,375 Claims calculation

Claim ( <i>italics</i> indicates claim amended or added in preliminary amendment)	depends on	number of claims for calculating total number of claims	number of independent claims
1		1	1
2	2	1	
3		1	1
4		1	1
5	1-4	5	
6	5	1	
7	6	1	
8		1	1
9		1	1
10	6	1	
11		1	
12		1	
13		1	
14	10	1	
15	6	1	
16	5	1	
17	16	1	
18	17	1	
19		1	1
20		1	1
21	17	1	
22	5	1	
23	22	1	
24	16	1	
25	1,3,4,8,9,19,20,23	9	
26		1	1
27	26	1	
28		1	1
29		1	1
30	26-29	5	
31	30	1	
32	31	1	
33		1	1
34		1	1
35	31	1	
36	35	1	
37	36	1	
38	35	1	
39	35	1	
40	31	1	

41	30	1	
42	41	1	
43	42	1	
44		1	1
45		1	1
46	42	1	
47	41	1	
48	47	1	
49	41	1	
50	26,28,33, 34,44,45	7	
51		1	1
52		1	1
53		1	1
54		1	1
55		1	1
56		1	1
57		1	1
58		1	1
59		1	1
60		1	1
61	8,9	3	
62	61	1	
63	62	1	
64	61	1	
65	61	1	
66	8,9	3	
67	19,20	3	
68	19,20	3	
69	68	1	
70	19,20	3	
71	33,34	3	
72	71	1	
73	72	1	
74	71	1	
75	71	1	
76	33,34	3	
77	44,45	3	
78	44,45	3	
79	78	1	
80	44,45	3	
<b>totals:</b>		<b>122 total claims</b>	<b>24 independent claims</b>



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

U.S. APPLICATION NO. 08/763,375	OKUMURA	FIRST NAMED APPLICANT	Y	3815/118
ATTY. DOCKET NO.				
INTERNATIONAL APPLICATION NO. 650				
LA. FILING DATE 06/05/00		PRIORITY DATE 06/05/00		
DATE MAILED: 04/06/01				

5071  
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**NOTIFICATION OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371  
AND 37 CFR 1.494 OR 1.495**

1. The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as ☒ a Designated Office (37 CFR 1.494), ☐ an Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is **ACCEPTED** for national patentability examination in the United States Patent and Trademark Office.
2. The United States Application Number assigned to the application is shown above and the relevant dates are:
- |   |  |
|---|--|
| <u>21 Feb 2001</u><br>35 U.S.C. 102(e) DATE | <u>21 Feb 2001</u><br>DATE OF RECEIPT OF<br>35 U.S.C. 371 REQUIREMENTS |
|---|--|

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE "FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371(C) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

3. ☒ A request for immediate examination under 35 U.S.C. 371(f) was received on 21 Feb 2001 and the application will be examined in turn.
4. The following items have been received:
- ☒ U.S. Basic National Fee.
  - ☒ Copy of the international application in:
    - ☒ a non-English language.
    - ☐ English.
  - ☒ Translation of the international application into English.
  - ☒ Oath or Declaration of inventor(s) for DO/EO/US.
  - ☐ Copy of Article 19 amendments. ☐ Translation of Article 19 amendments into English.  
The Article 19 amendments ☐ have ☐ have not been entered.
  - ☐ The International Preliminary Examination Report in English and its Annexes, if any.
  - ☐ Copy of the Annexes to the International Preliminary Examination Report (IPER).  
☐ Translation of Annexes to the IPER into English.  
The Annexes ☐ have ☐ have not been entered.
  - ☒ Preliminary amendment(s) filed 21 Feb 2001 and
  - ☒ Information Disclosure Statement(s) filed 21 Feb 2001 and
  - ☒ Assignment document.
  - ☐ Power of Attorney and/or Change of Address.
  - ☐ Substitute specification filed
  - ☐ Verified Statement Claiming Small Entity Status.
  - ☒ Priority Document.
  - ☒ Copy of the International Search Report ☒ and copies of the references cited therein.
  - ☒ Other Exchange of letters 386 on multiple claims [Total claims 185, independent 2]

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

Patricia Crocker  
National Stage Pro  
Paralegal Specialist